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ATTORNEYS FOR FEDERAL DEFENDANTS

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

BARTELL RANCH, LLC, a Nevada limited
liability company and **EDWARD BARTELL**,

Plaintiffs,

vs.

ESTER M. MCCULLOUGH, Winnemucca
District Manager, Bureau of Land Management;
BUREAU OF LAND MANAGEMENT,

Defendants,

and

Lithium Nevada CORP.,

Defendant-Intervenor.

Case No.: **3:21-cv-00080-MMD-CLB**

**STIPULATION ON PROPOSED
BRIEFING SCHEDULE ON
SUMMARY JUDGMENT**

Pursuant to the Court's October 29, 2021 Order, ECF 113, the parties stipulate to the
following schedule to resolve this case.

1 WHEREAS, four motions to complete or supplement the administrative record have
2 been filed (ECF 108, 110, 111, and 115) staying summary judgment briefing;

3 WHEREAS, in the parties' Joint Stipulation for Extension of Time (approved by this
4 Court on October 29, 2021 Order, ECF 113) the parties informed the Court that the parties
5 would submit an updated proposed scheduling order;

6 THEREFORE, the parties submit that the following deadlines would apply:

- 7
- 8 1. In the event the Court denies the pending motions to complete the administrative record,
9 the parties agree that opening motions for summary judgment shall be filed within 30 days
10 of the Court's decision. If the Court grants all or part of the motions to complete the
11 administrative record, the parties agree that opening motions for summary judgment shall
12 be filed within 30 days of Federal Defendants lodging of the new administrative record
13 with the Court and all parties. The parties agree to a reasonable amount of time for Federal
14 Defendants to produce documents and lodge the administrative record.
15

16 Following resolution of the administrative record, briefs for summary judgement shall be filed
17 pursuant to the following page limits and schedule:

- 18
- 19 2. Plaintiffs and Plaintiffs Intervenors opening motions for summary judgment and brief in
20 support of their motion for summary judgment are limited to 40 pages for Plaintiff Bartell
21 Ranch, et al., 40 pages for Plaintiff WWP, et al., 25 pages for Plaintiff Intervenors Reno
22 Sparks Indian Colony and 25 pages for Plaintiff Intervenors the Burns Paiute Tribe;
23
 - 24 3. Federal Defendants and Lithium Nevada shall file their separate cross-motions for
25 summary judgment (combined with their opposition to Plaintiffs' and Plaintiff
26 Intervenors' motions), limited to 40 pages in response to Plaintiffs Bartell Ranch, et al.,
27 40 pages in response to Plaintiff WWP, et al., and 50 pages in response to Plaintiff
28

Intervenors' motions, by no later than 45 days after filing of Plaintiff and Plaintiff Intervenor opening briefs.

4. Plaintiffs and Plaintiff Intervenor shall file their combined opposition to Federal Defendants' and Lithium Nevada's motions for summary judgment and reply in support of their motions for summary judgment, limited to 40 pages each for Plaintiffs Bartell Ranch, et al., and Plaintiffs WWP, et al., and 25 pages each for Plaintiff Intervenor Reno Sparks Indian Colony and the Burns Paiute Tribe, by no later than 30 days after filing of Federal Defendants and Defendant Intervenor. The parties recognize that in order to effectively respond to BLM and LNC's summary judgment cross motions/responses, Plaintiffs may seek leave for additional pages for their response briefs;
5. Federal Defendants and Lithium Nevada shall file their separate replies in support of their motions for summary judgment, limited to 25 pages in reply to Plaintiffs Bartell Ranch, et al., 25 pages in reply to Plaintiff WWP, et al., and 40 pages in reply to Plaintiff Intervenor's motions, by no later than 30 days after filing of Plaintiffs and Plaintiff Intervenor responses and replies.
6. The parties respectfully request oral argument on the summary judgment motions at this Court's earliest convenience after the conclusion of briefing.

Respectfully submitted this 23rd day of November, 2021.

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Tribe*

ORDER

IT IS SO ORDERED.

DATED THIS 24th Day of November 2021



CHIEF JUDGE MIRANDA DU
UNITED STATES DISTRICT JUDGE